

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**INDICTMENT FOR VIOLATIONS  
OF THE FEDERAL CONTROLLED SUBSTANCES ACT**

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL NO:</b>
<b>v.</b>	*	<b>SECTION:</b>
<b>JOSE BARRAGAN</b>	*	<b>VIOLATION: 21 U.S.C. § 841(a)(1)</b>
	*	<b>21 U.S.C. § 841(b)(1)(C)</b>
	*	<b>21 U.S.C. § 813</b>
*	*	*

The Grand Jury charges that:

**COUNT ONE**

On or about May 29, 2007, in the Eastern District of Louisiana, the defendant, JOSE BARRAGAN, did knowingly and intentionally distribute and possess with intent to distribute a mixture containing 2C-I [4-Iodo-2,5-Dimethoxyphenethylamine] and a mixture containing 2C-E [2,5-Dimethoxy-4-Ethylphenethylamine], both controlled substance analogues as defined by Title 21, United States Code, Section 802(32)(A), knowing that the substances were intended for human consumption and a quantity of marijuana, a Schedule I drug controlled substance; all in violation of Title 21, United States Code, Sections 813, 841(a)(1), 841(b)(1)(C), and 841 (b)(1)(D) .

### **COUNT TWO**

On or about June 7, 2007, in the Eastern District of Louisiana, the defendant, JOSE BARRAGAN, did knowingly and intentionally distribute and possess with intent to distribute a mixture containing 2C-I [4-Iodo-2,5-Dimethoxyphenethylamine] and a mixture containing 2C-E [2,5-Dimethoxy-4-Ethylphenethylamine], both controlled substance analogues as defined by Title 21, United States Code, Section 802(32)(A), knowing that the substances were intended for human consumption; all in violation of Title 21, United States Code, Sections 813, 841(a)(1), and 841(b)(1)(C).

### **COUNT THREE**

On or about July 12, 2007, in the Eastern District of Louisiana, the defendant, JOSE BARRAGAN, did knowingly and intentionally distribute and possess with intent to distribute a mixture containing 2C-E [2,5-Dimethoxy-4-Ethylphenethylamine], a controlled substance analogues as defined by Title 21, United States Code, Section 802(32)(A), knowing that the substance was intended for human consumption; all in violation of Title 21, United States Code, Sections 813, 841(a)(1), and 841(b)(1)(C).

### **COUNT FOUR**

On or about July 12, 2007, in the Eastern District of Louisiana, the defendant, JOSE BARRAGAN, did knowingly and intentionally possess with intent to distribute a mixture containing 2C-I [4-Iodo-2,5-Dimethoxyphenethylamine] and a mixture containing 2C-E [2,5-Dimethoxy-4-Ethylphenethylamine], both controlled substance analogues as defined by Title 21, United States Code, Section 802(32)(A), knowing that the substances were intended for human consumption; all in violation of Title 21, United States Code, Sections 813, 841(a)(1), and 841(b)(1)(C).

### NOTICE OF DRUG FORFEITURE

1. The allegations of Counts 1, 2, 3, and 4 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 1, 2, 3, and 4 the defendant, **JOSE BARRAGAN**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts 1, 2, 3, and 4 of this Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. had been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL:

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FOREPERSON

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JIM LETTEN  
UNITED STATES ATTORNEY  
Bar Roll No. 8517

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JAN MASELLI MANN  
First Assistant United States Attorney  
Bar Roll No. 9020

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BRIAN J. CAPITELLI  
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Bar Roll No. 27398

New Orleans, Louisiana  
April 16, 2009

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